

The Salisbury Planning Board held its regular meeting Tuesday, May 22, 2007, in the City Council Chamber of the Salisbury City Hall at 4 p.m. with the following being present and absent:

PRESENT: Karen Alexander, Dr. Mark Beymer, Richard Huffman, Craig Neuhardt, Sandy Reitz, Jeff Smith, Albert Stout, and Diane Young

ABSENT: Robert Cockerl, Tommy Hairston, Valarie Stewart, and Price Wagoner

STAFF: Dan Mikkelson, Preston Mitchell, Diana Moghrabi, Joe Morris, and David Phillips

Dr. Mark Beymer, Chairman, called the meeting to order and offered an invocation. The minutes of the May 8, 2007, meeting were approved as published. The Planning Board adopted the agenda without the North Main Small Area Plan due to a staff emergency. The Plan will most likely be presented at the next Planning Board meeting.

SWEARING IN OF NEW PLANNING BOARD MEMBER

Karen Alexander took the oath of office for Planning Board as directed by Deputy City Clerk Kelly Baker. Planning Board members and staff welcomed Mrs. Alexander.

NEW BUSINESS

Dr. Mark Beymer explained the Courtesy Hearing process. David Phillips made the staff presentation for the following group development.

- A. G-02-02 Ashton Manor**
200 Block Sunset Drive
Tax Map-061, Parcel-195, Zoning RD-A

Mr. John Fletcher submitted the application for a revision to a previously approved group development site plan of a residential subdivision with 50 single-family lots and 16 buildings to include 61 townhouses. The site is located at the 200 block of Sunset Drive. All zoning criteria have been met. The Technical Review Committee (TRC) recommends approval to the Planning Board of the application provided the following requirement is met:

The Ordinance requires that dumpsters be provided for town homes. (Section 21-25) There shall be one 8-yard dumpster for every 25 units. Therefore, with 61 total units shown, a minimum of three 8-yard dumpsters shall be required or one trash compactor. An exception to this requirement must be appealed to the Public Service Director. The Director's decision can be appealed to the City Manager. (At the time of this meeting they had made their appeal and rollouts will be allowed.)

This is a re-submittal; the site has been cleared according to a previously approved site plan. An alley has been removed from the plan, allowing for a little more depth for the single-family homes. The developer created a few additional lots. The new plan also makes minor modifications to streets and provides for a bigger alley (12 feet wide instead of 10 feet) behind the townhomes. The development will use a Duke Energy easement through the middle of the property as a dividing point between the townhomes and the single-family homes.

The townhouses will be pulled close to the street right-of-way. (No elevation drawings were available at this meeting.) The townhomes will be contained within 16 separate buildings. Five townhomes would be the most in any one building. (Six is the maximum allowable,) A large public open space has been added.

The development will include decorative light poles, street trees between curbs and sidewalks, and some buffer of vegetation or landscaping between Sunset Drive and the townhomes.

Public Comment

No one spoke in opposition of the proposal.

John Fletcher, Member Manager of Ashton Manor, LLC, resides at 6001 Kress Road in Cabarrus County. They bought this property based on the old approval, but they decided they could “do better” than the previously approved plan. They met all the criteria that the Planning Board recommended, plus a little extra. Trees will be planted between the curb and sidewalks in the subdivision. They will upgrade the city’s wood light poles. They believe the townhomes would look much better than the “condos.”

Board Discussion

Jeff Smith was on the Planning Board the first time the plan was approved; it was a good plan then, and he thinks it is a better plan now.

Jeff Smith made a MOTION to recommend approval of G-02-02. Albert Stout seconded the motion with all members voting AYE. (8-0) This will go to the June 5 City Council meeting.

COMMITTEES

Report from Legislative Committee A–T-01-07, Sign Ordinance Text Amendment for signs.

Jeff Smith reported that the Planning Board Legislative Committee A convened their meeting at 8 a.m. May 11 at the Rowan Regional Medical Center cafeteria. A written report of that meeting was distributed.

Mr. Morris provided background information on the Historic Signs amendment and explained the impetus for the proposal. After brief discussion, the committee agreed that the proposal should be sent to the Historic Preservation Commission (HPC) for their consideration.

The committee unanimously agreed that all five amendments need to be sent to the Community Appearance Commission (CAC) for their consideration.

Jeff Smith made a motion that was seconded by Diane Young and Planning Board agreed with the recommendations of the committee. (8-0)

Preston Mitchell added some information about nonconforming signs. At the previous meeting he had made reference to two State Supreme Court cases in other states. City Attorney, Rivers Lawther and the Institute of Government said there was no legal concern for the content neutral comments he made at the last Planning Board meeting.

Dick Huffman partly agreed. We do not have to comply with any rulings that any other state has, but it is also instructive. If several states are leaning in one direction, you would be strongly advised to look at the trend.

OTHER BOARD BUSINESS

- The next Planning Board meeting is June 12, 2007.
- Preston Mitchell said that Planning Board training is pushed to June due to the progress of the rewrite of the Land Development Ordinance.

There being no further business to come before the Planning Board, the meeting was adjourned at 5:37 p.m.

Dr. Mark Beymer, Chair

Diane Young, Vice Chair

Secretary, Diana Moghrabi